

INSTRUCTIONS FOR SUBMITTING PUBLIC COMMENT ON:

- The deadline for submitting comments on this policy is Friday, March 16.
- Please submit comments c/o Marcelle Valentin via email at DCR.Policies@State.MA.US (email address will be active on Monday, December 11) or via mail at:
Marcelle Valentin
Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114
- If submitting comment via email, please write the title of the policy in the subject bar.

PUBLIC OUTREACH AND CONSULTATION FOR FOREST CUTTING PLANS POLICY

POLICY: This policy is intended to provide guidance on DCR, Bureau of Forestry internal review and public notice of and comment on forest management plan implementation (forest cutting) projects.

APPLICABILITY: This policy applies to DCR State Forests, Parks, and Reservations vegetation management projects.

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APPENDICES: Appendix 1: Forest Stewardship Standards for the Northeast Region
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PROCEDURES:

I. Responsibility:

1. The Department of Conservation and Recreation, acting primarily through its Bureau of Forestry, is responsible for the conservation, health, and management of forest vegetation within DCR State Forests, Parks and Reservation system lands.

2. The Bureau of Forestry endeavors to follow the Forest Stewardship Standards for the Northeast Region (USA) 2/10/05 (Appendix 1), as revised; statewide forestry guidelines in coordination with the Division of Fisheries and Wildlife and Resource Management Plans pursuant to MGL Ch. 21, § 2F; and is responsible for meeting the standards of the Massachusetts Forest Cutting Practice Act (Appendix 2) and other requirements of law such as the Wetlands Protection Act and Endangered Species Act.

II. Internal Preparation of Proposed Timber Harvesting Summaries:

1. Management Foresters will prepare proposed Timber Harvesting Summaries (Appendix 3) in consultation and coordination with the responsible Regional Director and Park Supervisors and other relevant DCR staff.
2. The proposed Timber Harvesting Summaries will include: the municipality where the project is located; facility name; project's forest management district; management forester contact information (telephone number, e-mail address, and mailing address); project name; project location description; forest stand description; proposed preliminary silvicultural treatment; aesthetic, recreation, and environmental conditions and considerations; topographic map of the area with the area of the proposed work marked, and any other basic identifying information that the Bureau finds appropriate.
3. The proposed Timber Harvesting Summaries will be prepared in coordination with and approved by the Regional Director, Park Supervisor, and Management Forester.
4. The proposed Timber Harvesting Summaries will be completed by June 30th and December 30th yearly. Interim proposed timber harvesting summaries plans may be completed on an emergency basis.
5. Proposed Timber Harvesting Summaries will be made publicly available by posting on the Bureau of Forestry's web page and in hard copy at the Regional and Boston Administrative Offices.

III. Public Notice of Proposed Timber Harvesting Summaries:

1. During the proposed Timber Harvesting Summaries preparation process, Regional Directors, Park Supervisors, and Management Foresters will conduct a natural resource and public sensitivity assessment for the purpose of identifying major public issues of concern and natural resource, recreational value and use, and other concerns.
 - a. As part of the planning process, twice each year (on or about June 30 and December 31) the Department will post on its website a table listing the projects under consideration or planning for approximately the next twelve month period and will solicit public comment on those projects. Plans developed on an emergency basis will be posted when written. The table will provide links to the Timber Harvesting Summary for each project. The facility name, municipality, cutting size, and management forester will be included in the table, along with the proposed timber harvesting summary (see II.5 above) and any other basic identifying information that the Bureau finds appropriate. The purpose of the table is to provide a basic level of information to make interested stakeholders aware of the potential cutting projects, upon which stakeholders could make further inquiry and comment.
 - b. Posting of Notices: The Department will develop an e-mail based distribution list to

inform identified stakeholders of the posting of the table and proposed Timber Harvesting Summaries. The website will provide a mechanism to sign up for this list. Notices will be sent by e-mail or regular mail to the Town Clerk, Selectmen/City Council, Conservation Commission, and any local environmental or Friends groups known to DCR staff. For sites with resource management plans or site-specific forest management plans, notices will be sent by e-mail or regular mail to members of the public who submitted comments during preparation of those plans. A notice will be placed in the *Environmental Monitor* at the time of the biennial posting of the lists.

- c. Public comments will be accepted within 45 days of the posting of the proposed timber harvesting summaries. The Bureau will use best efforts to consider comments received after 45 days; the earlier comments are received, the easier it is to incorporate concerns into cutting plans.
2. For projects identified by the Department in its discretion as having a high environmental sensitivity, either directly by Bureau staff or after consideration of specific written comments received, the Department will
 - a. Identify key natural resource and recreation values or uses and contact key stakeholders, including adjacent landowners within 200 feet of the project and other affected or interested individuals or groups known to DCR.
 - b. Send notices to stakeholders, local officials, and the local newspaper (in the form of announcements or press releases, not legal notices) and request the identification of issues and concerns pertaining to the project plan.
 - c. Prepare an informational fact sheet (Appendix 4) and news release (Appendix 5). The Department will make such fact sheets available on its web site.
 - d. Conduct a site visit led by the Management Forester, inviting the Conservation Commission, Natural Heritage and Endangered Species Program, Friends group, and other parties with specific local knowledge of resources to participate. The focus of the site visit will be to identify features not shown on existing maps and data layers(e.g., uncertified vernal pools, probable habitat of rare species, rare natural community types as defined by NHESP, archeological or cultural sites, special habitat features such as raptor or heron nesting sites, etc.)
 - e. When determined appropriate or necessary, solicit further public comment.
 - f. Address public issues and concerns through a prepared DCR written response, coordinated and in consultation with resource specialists, Regional Director, Park Supervisor, and Chief of the Bureau of Forest Fire Control and Forestry, and post response on the website with the summary.
 - g. After completing the consideration of issues and information raised, under the guidance of the Forest Cutting Practices Act regulations process, DCR's statewide forestry guidelines and applicable planning documents, a silvicultural prescription will be prepared. The prescription and Cutting Plan will be available upon request from the Management Forester or Boston office.

3. Projects not identified as having a high level of environmental sensitivity can proceed under the

guidance of the Forest Cutting Practices Act regulations process including the preparation of a silvicultural prescription and implementation, without undergoing the process described in section III.2 above.

IV. Silvicultural Prescription Preparation:

1. The Management Forester shall prepare a final comprehensive silvicultural prescription (Appendix 6) that includes:
 - a. Current forest condition description
 - b. Short and long-term desired conditions
 - c. Silvicultural treatment
 - d. Rare and invasive species considerations, including post-cutting monitoring and management concerns and application of the appropriate Conservation Management Practices or other recommendations of the NHESP.
 - e. Wildlife considerations.
 - f. Aquatic, riparian, and vernal pool considerations, including potential vernal pools and wetland resources observed on the ground but not certified or part of the state GIS data layer.
 - g. Aesthetic and recreation considerations, including provisions to prevent/minimize unauthorized ATV use of areas and propagation of invasive species disturbed by the harvest operation
 - h. Harvest considerations
 - i. Sale layout design
 - j. Forest marking instructions
2. Upon request to DCR, submitted to the identified Management Forester either in comments on the timber harvesting summary or at any other time, silvicultural prescriptions shall be made available to members of the public.

V. Forest Cutting Plan Preparation:

1. The Management Forester shall prepare a cutting plan (Appendix 7) according to Forest Cutting Practice Act regulations. Specialists such as Archeologists; Hydrologists; Biologists; and staff from the Natural Heritage and Endangered Species Program will be consulted as required by Forest Cutting Practices Act and as needed.
2. Cutting Plans as required will be submitted to the Bureau of Forestry, Service Forestry Program for coordination and approval; NHESP, when necessary for review; and Town Conservation Commissions for consultation purposes.
3. Upon request to DCR, submitted to the identified Management Forester either in comments on the

timber harvesting summary or at any other time, cutting plans will be made available to members of the public. The website will provide contact information on how to obtain cutting plans.

4. Service Foresters shall review and approve cutting plans according to Forest Cutting Practice Act regulations.

VI. Project Implementation:

Upon completion of the process set forth above, implementation (contract preparation, advertisement, award, and harvest) will proceed.